THE BOMBAY MEDICAL ACT, 1912.

CONTENTS.

SECTIONS.

1. Short title, extent and definition.
2. Bombay Medical Council.
3. Tenure of office
4. Time and place of meeting of Council.
5. Registrar and officers.
6. Register.
7. Persons entitled to be registered.
8. Appeals and erasure of incorrect entries.
9. Removal of medical practitioners' name from register for misconduct.
9AA. Medical Council to have powers of Civil Courts.
9BB. Inquiries to be deemed to be judicial proceedings.
9CC. Assessor to Medical Council.
9A. [Repealed]
10. Qualified practitioners : certificates.
11. Unregistered persons not to hold certain appointments.
12. Notice of death.
13. Medical Council authorized to call for information and attend examinations.
14. Exemption from serving on inquests.
15. Fees payable to members.
16. Disposal of fees.
17. Publication of Medical List.
17A. Elections to be held by distributive vote.
18. Penalties.
19. Rules and regulations.
20. Alteration in list of qualifications mentioned in the Schedule.
21. Control.
22. Saving for provisions of the Government of India Act, 1935.

THE SCHEDULE.

BOMBAY ACT No. VI OF 1912.[1]

[THE BOMBAY MEDICAL ACT, 1912.]

[*25th June 1912*:]

Amended by Bom. 9 of 1912;
,, ,, ,, 4 of 1918;
,, ,, ,, 12 of 1929.
Repealed in part and amended by Bom. 3 of 1916;
,, ,, ,, ,, ,, ,, ,, 4 of 1916.
Adapted and modified by the Adaptation of Indian Laws Order in Council.
Adapted and modified by the Adaptation of Laws Order, 1950.
Amended by Bom. 55 of 1950;
,, ,, ,, 23 of 1953;
,, ,, ,, 63 of 1954;
,, ,, ,, 2 of 1955

An Act for the registration of medical practitioners.

WHEREAS it is expedient to provide for the registration of medical practitioners in the Presidency of Bombay; And whereas the previous sanction of the Governor-General required by section 5 of the Indian Councils Act, 1892,[2] has been obtained for the passing of this Act; It is hereby enacted as follows :—

Short title and extent.]

1. (*1*) This Act may be called the Bombay Medical Act, 1912.
(*2*) It extends to the whole of the Bombay Presidency.
[4]* * * *

Bombay Medical Council.

[5][2. (*1*) A Council, herein referred to as "the Medical Council", which shall be called "the Bombay Medical Council", shall be established for the Presidency of Bombay.

[6][(*2*) The Medical Council shall consist of fourteen members who shall be appointed in the following manner, namely :—

(*a*) five members nominated by the State Government out of whom not more than one shall be from amongst those who are not registered under this Act;

(*b*) three members elected by—

(*i*) the members of Faculties of Medicine of the Universities established by any law for the time being in force in the State of Bombay, and

(*ii*) the members of the Governing Body of the College of Physicians and Surgeons, Bombay:

Provided that no person who is a member of two or more such Faculties or of any such Faculty and the said Governing Body shall be entitled to vote more than once;

(*c*) six members elected by the medical practitioners who are registered under this Act.]

[7][(*3*) The President [8][and Vice-President] of the Medical Council shall be elected by the members from amongst themselves.

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1911, Part VII, page 389; for Report of Select Committee, *see ibid.*, 1912, Part VII, page 103; and for Proceedings in Council, *see ibid.*, 1912, Part VII, page 45 and 189.

[2] *See* now the Government of India Act, 1935.

[3] These words were substituted for the words "extent and definition" by Bom. 55 of 1950, s. 2.

[4] Sub-section (*3*) was deleted, *ibid.*

[5] Section 2 was substituted by s. 2 of the Bombay Medical (Amendment) Act, 1918 (Bom. 4 of 1918).

[6] Sub-section (*2*) was substituted for the original by Bom. 55 of 1950, s. 3.

[7] These sub-sections were substituted for sub-section (*2*), *ibid.*

[8] These words, were inserted by Bom. 2 of 1955, s. 3, Second Schedule.

(*4*) The election of [1][the President and Vice-President and other members] shall, subject to the provisions of this Act, be held at such time and place and in such manner as the Medical Council may, by rules or regulations made from time to time in this behalf, direct.]

Tenure of office.

3. [2][(*1*) [3][The President, Vice-President and other members] of the Medical Council shall hold office for a term of five years from the date of their nomination or election or until their successors have been duly nominated or elected, whichever is longer, and shall be eligible for re-nomination, or re-election, as the case may be.]

(*2*) Any member may at any time resign his appointment by letter addressed to the President of the Medical Council.

(*3*) Upon the death or resignation of any member of the Medical Council, some other person shall be appointed a member of the Medical Council in his place by nomination or election, as the case may be, in accordance with the provisions of sub-section (*2*) of section 2, and such person shall hold office for the remainder of the period for which the member in whose place he is appointed was nominated or elected.

(*4*) (*a*) Leave of absence [4]* * may be granted by the Medical Council to any member thereof for a period not exceeding six months.

[5]* * * * * *

(*c*) [6][Except in the case provided for in clause (*a*),] if any member of the Medical Council shall absent himself from three consecutive [7][ordinary] meetings of the Medical Council, the Medical Council may forthwith declare his seat vacant and such declaration shall have the same effect as resignation of his seat by the member concerned.

Time and place of meeting of Council.

4. The Medical Council [8]* * * shall make such rules and regulations as may be necessary with respect to the times and places of the meeting of the Medical Council, and the mode of summoning the same. In the absence of any rule or regulation as to the summoning of a meeting of the Medical Council, it shall be lawful for the President to summon a meeting at such time and place as to him shall seem expedient by letter addressed to each member ; and at every meeting, in the absence of the President [9][the Vice-President and in the absence of both], some other member, to be chosen from the members present, shall act as President ; and all acts of the Medical Council shall be decided by the votes of the majority of the members present at any meeting, the whole number present not being less than eight, and at all such meetings the President for the time being shall, in addition to his vote as a member of the Medical Council, have a casting vote in case of any equality of votes.

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[1] These words were substituted for the words " the President and members" by Bom.2 of 1955, s. 3 Second Schedule.

[2] This sub-section was substituted for the original, by Bom. 55 of 1950 s. 4.

[3] These words were substituted for the words " The President and members " by Bom. 2 of 1955, s. 3, Second Schedule.

[4] The words " from India " were deleted by Bom. 55 of 1950, s. 4(*2*).

[5] Clause (*b*) was deleted, *ibid.*

[6] This portion was substituted for the original portion, " In any case not provided for in clauses (*a*) and (*b*)," *ibid.*

[7] This word was inserted. *ibid.*

[8] The words " shall hold their first meeting within three months from the commencement of this Act in such place and at such time as the Government in Council shall appoint and were" repealed by s. 3 and Schedule of the Bombay Medical (Amendment) Act, 1916 (Bom. 4 of 1916).

[9] These words were inserted by Bom. 2 of 1955, s. 3 Second Schedule.

Registrar and Officers.

5. (*1*) The Medical Council shall appoint a Registrar, and may from time to time grant leave to the Registrar and appoint a person to act in his place. Any order of the Medical Council appointing [1]* * * or dismissing a Registrar or appointing a person to act as Registrar [2][for a period which exceeds or is likely to exceed the period which the State Government may, from time to time, direct] shall be subject to the previous approval of the [3][[4][State] Government]. The Registrar and any person appointed to act as Registrar shall be paid by the Medical Council such salary and allowances as they may from time to time determine. Any person duly appointed to act as Registrar shall be deemed to be Registrar for all the purposes of this Act.

(*2*) The Medical Council with the previous approval of the [3][[4][State] Government] may appoint such other officers or clerks as may be necessary for the purposes of this Act.

(*3*) The Registrar and any other officer or clerk appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the [5]Indian Penal Code. XLV of 1860.

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[1] The words "granting leave to" were deleted by Bom. 55 of 1950, s. 5(*1*).
[2] This portion was inserted, *ibid*, s. 5(*2*).
[3] The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.
[4] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
[5] Central Act.

6. The Registrar shall keep a register of medical practitioners in accordance with the provisions of this Act. The register shall be kept in such form as the [1][[2][State] Government] from time to time directs. The name, residence and qualifications of every person who is registered under this Act shall be entered in the register with the date on which each qualification was granted. It shall be the duty of the Registrar under the orders of the Medical Council to keep the register correct and from time to time to enter any necessary alterations in the addresses of persons registered, and to enter any additional qualifications which any registered person may have obtained subsequent to his registration, and to erase the names of all registered persons who have died ; provided that the [1][[2][State] Government] may prescribe a fee for the entry of any additional qualification. [3]* * * * * * * * Register.

[4][**7.** [5][(*1*) (*a*) Every person shall, if he holds any of the medical qualifications included in the First, or Second Schedule to the Indian Medical Council Act, 1933, be entitled to be registered under this Act, on payment of a fee of [6][fifty rupees] on giving a correct description of his qualifications, with the dates on which they were granted, and on presentation of his degree, diploma or licence. Persons entitled to be registered.

XXVII of 1933.

(*b*) No person who possesses a medical qualification granted by any authority in any place outside the territory of India other than those specified in the Second Schedule to the said Act shall be registered under this Act, unless the procedure specified in clause (*c*) has been followed.

(*c*) The Medical Council shall forward to the Executive Committee constituted under section 9 of the Indian Medical Council Act, 1933, an application for registration received by it from any medical practitioner [7]* * * * * * but who does not possess any of the medical qualifications granted by a medical institution specified in the said Second Schedule to the said Act. If the said Committee is satisfied that the degree, diploma, licence or certificate held by the applicant is such as to secure the possession by the applicant of requisite knowledge and skill for the efficient practice of medicine surgery or midwifery, [8][it may,—

XXVII of 1933.

(*a*) if the applicant is a citizen of India, recommend that such person should be registered, and

(*b*) if the applicant is not a citizen of India, recommend that such person should be registered on such conditions as may be specified in the recommedation,

and the Medical Council shall accordingly register him].

[9][(*1-a*) Every person for the time being registered under any Act for the registration of medical practitioners in force in any other province in India with the Medical Council of such province shall, if reciprocity of registration has been arranged with such Council be entitled on production of his registration certificate [10][and on payment of a fee of [11][fifty rupees] to have registered under this Act, [12]* *such qualifications entered in the said certificate as are registrable under this Act.]

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[1] The words " Provincial Government " were susbstituted for the words " Governor in Council " by the Adaptation of Indian Laws Order in Council.

[2] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

[3] The portion beginning with the words " To enable the Registrar duly to fulfill the duties " and ending with the words " make an order to that effect " was deleted by Bom. 63 of 1954, s. 2.

[4] Section 7 was substituted by s. 3 of the Bombay Medical Amendments Act, 1916, Bom. 3 of 1916.

[5] Sub-section (*1*) was substituted for the original by Bom. 55 of 1950, s. 6 (*1*).

[6] These words were substituted for the words " fifteen rupees " by Bom. 63 of 1954, s. 3 (*1*) (*a*).

[7] The words " who is a citizen of India " were deleted, *ibid.*, s. 3 (*1*) (*b*) (*i*).

[8] This portion was substituted for the words " it may recommend that the person should be registered and the Medical Council shall accordingly register from ". *ibid.*, s. 3 (*1*) (*b*) (*ii*).

[9] Sub-section (*1-a*) was inserted by Bom. 12 of 1929, s. 2.

[10] These words were inserted by Bom. 55 of 1950, s. 6 (*2*).

[11] These words were substituted for the words " fifteen rupees " by Bom. 63 of 1954, s. 3 (*2*).

[12] The words " free of charge " were deleted, *ibid.*

(*2*) Every person who is possessed of any of the qualifications described in the Schedule to this Act (subject to the provisions of section 20) shall be entitled to be registered under this Act on payment of a fee of [1][fifty rupees] and on giving evidence to the satisfaction of the Registrar of his possession of a qualification fitting him for registration.

(*3*) The [2][[3][State] Government] may, after consulting the Medical Council permit the registration of any person who was actually practising medicine in the Bombay Presidency before the 25th day of June 1912.

(*4*) The Medical Council may refuse to permit the registration of any person who has been convicted of a cognisable offence as defined in the [4][Code of Criminal Procedure, 1898, or who, being or having been subject to military law, has been convicted under the [5]Army Act or under the [5]Indian Army Act, 1911, of an offence which is also a cognizable offence as so defined, or who after due enquiry has been held guilty by the Medical Council of infamous conduct in any professional respect.] V of 1898. 44 & 45 Vict., c. 58. VIII of 1911.

Appeals and incorrect entries.

8. (*1*) Any appeal against the decision of the Registrar respecting a first registration or any subsequent alteration shall be heard and determined by the Medical Council under regulations which shall be made by the Medical Council in this behalf.

(*2*) Any entry in the register which shall be proved to the satisfaction of the Medical Council to have been fraudulently or incorrectly made may be erased from the register under the orders of the Medical Council.

Removal of medical practitioner's name from register for misconduct.

[6][**9.** (*1*) If a medical practitioner has been after due inquiry by the Medical Council found guilty of any misconduct, the Medical Council may—

[7][(*a*) issue a letter of warning addressed to such medical practitioner, or

(*b*) direct the name of such medical practitioner—

(*i*) to be removed from the register for such period as may be specified in the direction, or

(*ii*) to be removed from the register entirely.]

Explanation.—For the purposes of this section, "misconduct" shall mean—

(*a*) the conviction of the medical practitioner by a criminal court for an offence which involves moral turpitude and which is cognizable within the meaning of the Code of Criminal Procedure, 1898; V of 1898.

(*b*) the conviction under the Army Act, 1950, of the medical practitioner subject to military law for an offence which is cognizable within the meaning of the Code of Criminal Procedure, 1898; or XLVI of 1950. V of 1898

(*c*) any conduct which, in the opinion of the Medical Council, is infamous in relation to the medical profession.

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[1] These words were substituted for the words "fifteen rupees" by Bom. 63 of 1954, s. 3 (2).

[2] The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.

[3] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

[4] Central Acts.

[5] Collection of Statutes relating to India, Vol. I.

[6] Section 9 was substituted for the original by Bom. 55 of 1950, s. 7.

[7] This portion was substituted for the brackets, letters and words beginning with "(*a*) direct the name" and ending with "misconduct of which he was found guilty" by Bom. 63 of 1954, s. 4.

(*2*) The Medical Council may, at any subsequent date, if they think fit, direct that any name so removed shall be re-entered.]

[1][**9-AA.** In holding inquiries under this Act, the Medical Council shall have the same powers as are vested in Civil Courts under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely :— **Medical Council to have powers of Civil Courts.**

V of 1908.

(*a*) enforcing the attendance of any person and examining him on oath ;

(*b*) compelling the production of documents ;

(*c*) issuing of commissions for the examination of witnesses.

XLV of 1860.

9-BB. All inquiries under this Act shall be deemed to be judicial proceedings within the meaning of sections 193, 219 and 228 of the Indian Penal Code. **Inquiries to be deemed to be judicial proceedings.**

9-CC. (*1*) For the purpose of advising the Medical Council on questions of law arising in inquiries before it, there shall in all such inquiries be an assessor to the Medical Council who has been for not less than ten years— **Assessor to Medical Council.**

XXXVIII of 1926.

(*i*) an advocate enrolled under the Indian Bar Councils Act, 1926, or

(*ii*) an attorney of a High Court.

(*2*) Where an assessor advises the Medical Council on any question of law as to evidence, procedure or any other matter, he shall do so in the presence of every party, or person representing a party, to the inquiries who appears thereat, or if the advice is tendered after the Medical Council has begun to deliberate as to their findings, every such party or person as aforesaid shall be informed what advice the assessor has tendered. Such party or person shall also be informed, if in any case the Medical Council does not accept the advice of the assessor on any such question as aforesaid.

(*3*) Any assessor under this section may be appointed either generally or for any particular inquiries or class of inquiries and shall be paid such remuneration as the Medical Council with the approval of the State Government may determine.

9-DD. Notwithstanding anything contained in section 7 or 17— **Renewal of registration.**

(*a*) the Registrar shall every five years cause two notices to be published at an interval of not less than thirty days in the *Official Gazette* calling upon in the manner provided in clause (*b*) all registered medical practitioners to make an application to the Registrar for the continuance of their names on the register ;

(*b*) the Registrar shall, after the publication of the first notice under clause (*a*) send a notice by post enclosing therewith the form of application prescribed by rules made under this Act to registered medical practitioners at their addresses as entered in the register calling upon them to return the application to the Registrar for the continuance of their names on the register within 45 days of the date of the notice. If any of the registered medical practitioners fails to return such application within the time specified, the Registrar shall issue a further notice to such registered medical

[1] Sections 9-AA to 9-DD were inserted by Bom. 63 of 1954, s. 5.

practitioner by registered post after the publication of the second notice under clause (*a*) enclosing therewith the form of application prescribed by rules made under this Act calling upon him to return the application to the Registrar for the continuance of his name on the register within thirty days of the date of the notice together with a fee of rupees two ;

(*c*) if the application is not made on or before the date fixed by the notice sent by registered post under clause (*b*), the Registrar shall remove the name of the defaulter from the register :

Provided that if an application for continuance of the name so removed is made within a period of six months from the date fixed by the notice sent by registered post under clause (*b*) the name so removed may be re-entered in the register on payment of a fee of five rupees.]

Renewal fee.

[1][**9A.** [*Renewal fee.*] Repealed by Bom. II of 1955, s. 2, First Schedule.]

Qualified practitioners : certificate.

10. (*1*) [2]* * * The expression "legally qualified medical practitioner", or "duly qualified medical practitioner," or any words importing a person recognized by law as a medical practitioner or member of the medical profession, shall in all [3][Bombay Acts] and in all [4][Central Acts] in their application to the Bombay Presidency, mean a medical practitioner registered [5]* * * under this Act [6][or under the Bombay Medical Practitioners' Act, 1938].

(*2*) [2]* * * No certificate required by any Act from any medical practitioner or medical officer shall be valid unless the person signing the same shall have been registered [7]* * * * under this Act [7][or under the Bombay Medical Practitioners' Act, 1938].

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[1] This section was inserted by Bom. 55 of 1950, s. 8.

[2] The words "After the commencement of this Act" were repealed by s. 3 and Schedule of the Bombay Medical (Amendment) Act, 1916 (Bom. 4 of 1916).

[3] The words "Bombay Acts" were substituted for the words "Acts of the Governor of Bombay in Council" by the Adaptation of Indian Laws Order in Council.

[4] The words "Central Acts" were substituted for the words "Acts of the Governor-General in Council" *ibid.*

[5] The words "either under the Medical Acts or" were deleted by Bom. 55 of 1950, s. 9.

[6] This portion was added, *ibid.*

[7] The words "under the Medical Acts or" were deleted, *ibid.*

Unregistered persons not to hold certain appointments.

11. [1]* * * [2][Except with the special sanction of the [3][[4][State] Government]] no person shall hold any appointment as a Physician, Surgeon or other Medical Officer in any dispensary, hospital, infirmary or lying-in-hospital, not supported entirely by voluntary contributions, or in any public establishment, body or institution, or as a Medical Officer of Health, unless he be registered [5]* * * * * under this Act [6][or under the Bombay Medical Practitioners' Act, 1938].

Notice of death.

12. Every Registrar of deaths on receiving notice of the death of a medical practitioner registered under this Act shall forthwith transmit by post to the Registrar appointed under this Act a certificate under his own hand of such death with the particulars of time and place of death and may charge the cost of such certificate and transmission as an expense of his office.

Medical Council authorised to call for information and attend examinations.

13. The Medical Council shall have authority to call on the governing body or authorities of any Medical College or School and on any examining body included in or desirous of being included in the Schedule—

(*a*) to furnish such particulars as the Medical Council shall require of any course of study prescribed or examination held by such body or authority or in such School or College with reference to the grant of any medical or surgical qualification, and

[7][(*b*) to permit such person or persons as is or are, in the opinion of the Medical Council, specially qualified for the purpose, to attend and be present at any such examination.]

Exemption from serving on inquests.

14. Notwithstanding any thing in any other law for the time being in force, every person who shall be registered under this Act shall be exempt, if he so desires, from serving on any inquest.

Fees payable to members.

15. There shall be paid to the members of the Medical Council such fees for attendance and such reasonable travelling expenses as shall from time to time be allowed by the Medical Council and approved by the [3][[4][State] Government].

Disposal of fees.

16. All monies received by the Medical Council as fees under this Act shall be applied for the purposes of this Act in accordance with such rules as may be made in this behalf by the [3][[4][State] Government].

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[1] The words " On the expiry of three months from the commencement of this Act " were repealed by s. 3 and Schedule of the Bombay Medical (Amendment) Act, 1916 (Bom. 4 of 1916).

[2] These words were inserted by s. 2, *ibid.*

[3] The words " Provincial Government " were substituted for the words " Governor in Council " by the Adaptation of India Laws Order in Council.

[4] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

[5] The words " under the Medical Acts or " were deleted by Bom. 55 of 1950, s. 10.

[6] This portion was added, *ibid.*, s. 10.

[7] Clause (*b*) was substituted for the original by Bom. 23 of 1953, s. 2.

Publication of Medical List.

[1][17. (*1*) The Registrar shall every five years [2]* * * * * * * * cause to be printed and published a correct list of the names, addresses and qualifications of all persons for the time being entered in the Register and the dates when such qualifications were granted, in alphabetical order according to the surnames of the persons registered.

(*2*) The Registrar shall cause to be printed and published annually on or before a date to be fixed by the Medical Council—

(*a*) a supplementary list arranged in the manner specified in sub-section (*1*), of the names, addresses, dates of registration and qualifications together with the dates of acquiring them of all persons for the time being entered or re-entered in the register and not included in any subsisting list or supplementary list already printed and published; and

(*b*) a separate list arranged in the same manner and giving the same particulars of persons included in any subsisting list or supplementary list whose names have since been erased or removed from and not re-entered in the Register; and

(*c*) if during any year a medical practitioner included in any subsisting list or supplementary list has communicated a change of address, a further list arranged in the same manner of the medical practitioner who has so communicated the change of address.

[3][(*3*) A copy of the list referred to in sub-section (*1*) and of the supplementary list referred to in clause (*a*) of sub-section (*2*) shall be evidence in all Courts and in all judicial or quasi-judicial proceedings that the persons therein specified are registered according to the provisions of this Act; and the absence of the name of any person from such copy shall be evidence, until the contrary is proved, that such person is not registered according to the provisions of this Act:

Provided that in the case of any person whose name does not appear in such copy, a certified copy under the hand of the Registrar of the entry of the name of such person on the register shall be evidence that such person is registered under the provisions of this Act.]

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[1] This section was substituted for the original by Bom. 55 of 1950, s. 11.

[2] The words " on or before a date to be fixed by the Medical Council " were deleted by Bom. 63 of 1954, s. 6 (*a*).

[3] This sub-section was substituted for the original *ibid.*, s. 6 (*b*).

[1][**17A.** All elections under this Act shall be made according to the distributive system of voting. **Elections to be held by distributive vote.**

Explanation.—The distributive system of voting means a system of voting in which every voter shall be entitled to give as many votes as there are seats to be filled :

Provided that no voter shall give more than one vote to any one candidate :

Provided further that no voting papers shall be deemed to be valid unless the voter has recorded all the votes which he is entitled to give.]

18. Whoever falsely pretends to be registered under this Act or not being registered under this Act uses in connection with his name or title any words or letters representing that he is so registered shall, whether any person is actually deceived by such pretence or representation or not, be punished on conviction by a Presidency Magistrate or a Magistrate of the first class with fine that may extend to three hundred rupees. **Penalties.**

19. (*1*) Subject to the provisions of this Act, the Medical Council may from time to time make rules and regulations generally to carry out the provisions of this Act : **Rules and regulations.**

Provided that no rules or regulations made by the Medical Council whether under this or under any of the foregoing sections of this Act shall have any force or effect unless the same shall have received the previous approval of the [2][[3][State] Government].

(*2*) All rules and regulations made by the Medical Council under this Act shall, when the same have received the approval of the [2][[3][State] Government], be published in the [4][*Official Gazette*].

(*3*) It shall be lawful for the [2][[3][State] Government], by notification in the [4][*Official Gazette*], to cancel any rule or regulation made under this Act.

20. If it shall appear to the [2][[3][State] Government], on the report of the Medical Council or otherwise, that the course of study and examinations prescribed by any of the Colleges or bodies conferring the qualifications described in the Schedule are not such as to secure the possession by persons obtaining such qualification of the requisite knowledge and skill for the efficient practice of their profession, or if it shall appear to the [2][[3][State] Government], on the report of the Medical Council or otherwise, that the course of study and examinations prescribed by any College or body conferring a qualification not entered in the Schedule are such as to secure the possession by persons obtaining such qualification of the requisite knowledge and skill for the efficient practice of their profession, it shall be lawful for the [2][[3][State] Government] from time to time by notification in the [4][*Official Gazette*] to direct that the possession of any qualification **Alteration in list of qualifications mentioned in the Schedule.**

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[1] Section 17A was inserted by Bom. 55 of 1950, s.12.

[2] The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.

[3] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

[4] The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*" by the Adaptation of Indian Laws Order in Council.

entered in the Schedule shall not entitle any person to registration under this Act, or to direct that the possession of any qualification not entered in the Schedule shall, subject to the provisions of this Act, entitle a person to be so registered, as the case may be, and the Schedule shall thereupon be deemed for all purposes to be altered accordingly.

Control.

21. If at any time it shall appear to the [1][[2]State] Government] that the Medical Council has failed to exercise or has exceeded or abused any power conferred upon it under this Act or has failed to perform any duty imposed upon it by this Act, the [1][[2]State] Government] may notify the particulars of such default, excess or abuse to the Medical Council ; and if the Medical Council fails to remedy such default, excess or abuse within such time as may be fixed by the [1][[2]State] Government] in this behalf, the [1][[2]State] Government] may for the purpose of remedying such default, excess or abuse cause any of the powers and duties of the Medical Council to be exercised and performed by such agency and for such period as [3][it] may think fit.

22. [*Saving for provisions of the Government of India Act, 1935.*] *Omitted by the Adaptation of Laws Order, 1950.*]

THE SCHEDULE.

[4][1. Fellow, Member (Admitted before 30th April 1944), and Licentiate of the College of Physicians and Surgeons of Bombay.

2. Licentiate of the State Medical Faculty, Bombay.

3. Ayurvidya Visharad of the Tilak Maharashtra Vidyapeeth of Poona, during the years 1921 to 1935 (both inclusive).

4. Bachelor of Medicine and Bachelor of Surgery of the University of Gujarat.

5. Bachelor of Medicine and Bachelor of Surgery of the University of Poona.

6. Fellow, Member and Licentiate of the State Medical Faculty of Bengal prior to 15th August 1947.

7. Fellow, Member and Licentiate of the State Medical Faculty of West Bengal on or after 15th August 1947.

8. Fellow, Member and Licentiate of the State Medical Faculty of Punjab prior to 15th August 1947.

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[1] The words " Provincial Government "were substituted for the words " Governor in Council " by the Adaptation of Indian Laws Order in Council.

[2] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

[3] The word " it " was substituted for the word " he " by the Adaptation of Indian Laws Order in Council.

[4] Entries 1 to 24 were substituted for the original by G. N., L. S. G. & P. H. D., No. 4867, dated 7th October 1952.

9. Fellow and Member of the State Medical Faculty, East Punjab.

10. Diploma of Licentiate of the State Medical Faculty of East Punjab conferred upon persons who entered the course for the diploma prior to the year 1950.

11. Licentiate and Apothecary of the Board of Examiners, Medical College, Madras.

12. Licentiate of the State Board of Medical Examinations, United Provinces.

13. Diploma in Medicine and Surgery [" D.M.S.(Madras) "] of the Stanley Medical College, Madras.

14. Fellow, Member and Licentiate of the United Provinces, State Medical Faculty.

15. Licentiate of the Bihar and Orissa Medical Examination Board.

16. Licentiate of the Central Provinces (now Madhya Pradesh) Medical Examination Board.

17. Licentiate of the Assam Medical Examination Board.

18. Diploma in Allopathy (1) of the National Medical College and the National College of Physicians and Surgeons of India, Calcutta, (2) of the Collge of Physicians and Surgeons of Calcutta, and (3) of the International College of Physicians and Surgeons of India, Calcutta, during the years 1912 to 1916 (both inclusive).

19. Licensed Medical Practitioner of the University of Mysore and of the Mysore Medical School.

20. Bachelor of Medicine and Bachelor of Surgery of the University of Mysore.

21. Bachelor of Medicine and Bachelor of Surgery of the Osmania University and Licentiate of Medicine and Surgery granted by His Exalted Highness the Nizam's Government.

22. Diploma of L. M. P. (Hyderabad) granted by His Exalted Highness the Nizam's Government in or before the year 1932.

23. Diploma of L. M. P. (Orissa) conferred by the Orissa Medical Examination Board upon persons who entered the course for the diploma prior to the year 1948.

24. Any person trained in a Government Medical College, or School in India who holds a diploma or certificate granted by any Government in India directing him to be qualified to practise Medicine, Surgery and Midwifery, or to be qualified for the duties of a Military Assistant Surgeon, Hospital Assistant or Sub-Assistant Surgeon, or any person who holds a diploma or certificate to the same effect, granted by the King Edward Hospital Medical School at Indore or the Medical School, Hyderabad (Deccan).

[This paragraph is subject to the provisions of the Indian Medical Degrees Act, 1916 (VII of 1916)].].

MG-VI Bk H 471—4a